



**Berger, Fischhoff, Shumer,  
Wexler & Goodman, LLP**  
Attorneys & Counselors at Law

6901 Jericho Turnpike, Suite 230  
Syosset, New York 11791  
Ph: 516.747.1136 | Fax: 516.747.0382

2801 Emmons Avenue, Suite 10  
Brooklyn, New York 11235  
Ph: 718.934.8811 | Fax: 718.934.8992

Reply to: ☐ Syosset Office  
☐ Brooklyn Office

Heath S. Berger  
Maryanne Buatti  
Gary C. Fischhoff\*  
Peter J. Goodman  
Steven E. Shumer  
Joel G. Wexler

Dana Goldstein

Brad A. Schlossberg  
Randi E. Taub

of counsel:

Lawrence P. Krasin  
Andrew M. Lamkin

also admitted in New Jersey\*

February 13, 2024

Honorable Sean H. Lane  
United States Bankruptcy Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: Rudolph W. Giuliani  
Chapter 11 Case No: 23-12055

Dear Judge Lane:

We are the attorneys for the Debtor, Rudolph W. Giuliani, with regards to the above referenced Chapter 11 proceeding.

On January 19, 2024 we appeared on the Debtor's behalf on his motion to modify the automatic stay to allow for the filing of post judgment motions and a notice of appeal in the Freeman litigation pending in the Federal District Court in the District of Columbia.

At that time the Court indicated that the relief was conditioned upon the Sibley Law Firm retention being approved and agreeing to only seek compensation from the non-debtor defense funds. Mr. Sibley has confirmed in writing that he will not seek any payment nor file a claim in the Chapter 11 proceeding for legal fees and costs in the Freeman litigation.

While we have filed a retention package on his behalf, some issues have arisen concerning the third party defense funds which we believe with respect to the Office of the United States Trustee are close to or are actually resolved. There may be one or two issues remaining on the retention with the Creditor Committee which if not resolved will be brought to the Court's attention. However, the time to file the motions and notice of appeal are fast approaching and the proposed order of retention for the Sibley Law Firm may not be fully resolved in time.

Accordingly, we are requesting a conference on the afternoon of Wednesday, February 14, 2024 so that all parties can be heard on the Debtor's request allowing the order modifying the automatic stay (of which most of the terms have been resolved) be entered prior to the order of the Sibley retention.

Thank you in advance for your courtesies and cooperation in this matter

Respectfully,

*/s/ Heath S. Berger*

Heath. S. Berger

[www.bfslawfirm.com](http://www.bfslawfirm.com)

East Islip, New York | Centereach, New York  
(by appointment only)